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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,891	06/29/2001	Michael Joseph Calderaro	AUS9-2001-0237-US1	7073

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IBM CORPORATION- AUSTIN (JVL)  
C/O VAN LEEUWEN & VAN LEEUWEN  
PO BOX 90609  
AUSTIN, TX 78709-0609

EXAMINER

LU, KUEN S

ART UNIT	PAPER NUMBER
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2167

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/895,891

Applicant(s)

CALDERARO ET AL.

Examiner

Kuen S. Lu

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>#1 7/9/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Reopened Prosecution***

1. The Action is responsive to the Applicant's Appeal Brief, filed on June 21, 2005.
2. In view of the Appeal Brief, prosecution is hereby reopened. A new ground of rejection is set forth below.
3. To avoid abandonment of the application, Appellant must exercise one of the two options:

- 3.1** file a reply under 37 CFR 1.111 (if this Office Action is non-final rejection); or
- 3.2** request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. Please see 37 CFR 1.193(b)(2).

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2, 3, 5-6, 8-9, 10, 12-13, 14-16 and 18-19 are rejected under 35 U.S.C.

102(e) as anticipated by Lei et al. (U.S. Patent 6,487,552, hereafter "Lei").

As per independent claims 1, 8 and 14, Lei teaches the following:

"selecting one or more employees to exclude from a first view, the first view including employee profile information corresponding to a plurality of employees" (See col. 1, lines 62-65, col. 2, lines 34-45, col. 3, lines 51-60 and col. 15, lines 25-31 wherein Lei's teaching on selecting employee profile information such as lang, security and dept from a table t having employee profile data to create a view V3, creating view by retrieving data from another view, restricting user to a subset of records from a table, and granting access right to access a particular subset extracted from a table is equivalent to the Applicant's selecting one or more employees to exclude from a first view, the first view including employee profile information corresponding to a plurality of employees).

"excluding the employee profile information corresponding to the selected employees from the first view, the exclusion resulting in a second view" (See col. 15, lines 25-31, col. 1, lines 62-65, col. 2, lines 34-45, col. 3, lines 51-60 wherein Lei's teaching on creating view by retrieving rows from another view and restricting user to a subset of records from a table, and granting access right to access a particular subset extracted from a table is equivalent to the Applicant's excluding the employee profile information corresponding to the selected employees from the first view, the exclusion resulting in a second view); and

"granting view access to the second view to one or more of the selected employees" (See col. 1, lines 62-65, col. 15, lines 25-31, col. 2, lines 34-45, col. 3, lines 51-60 wherein Lei's teaching on granting access right to access a view having a particular

subset extracted from a table, and creating view by retrieving rows from another view is equivalent to the Applicant's granting view access to the second view to one or more of the selected employees).

As per claims 2, 9 and 15, Lei further teaches "displaying the employee profile information in the second view on one or more display devices, wherein at least one of the display devices corresponds to one of the selected employees" (See Figs. 1-2, col. 5, lines 27-30 and col. 9, lines 18-22 wherein Lei's teaching on using display devices, such as CRT, to display information to a user, and the client/server configuration where user interacts with database server via application layer for issuing queries and retrieving information is equivalent to the Applicant's displaying the employee profile information in the second view on one or more display devices, wherein at least one of the display devices corresponds to one of the selected employees).

As per claims 3, 10 and 16, Lei further teaches the following:  
"simultaneously displaying employee profile information pertaining to the second view to a plurality of collaborating employees, wherein the collaborating employees include at least one of the selected employees" (See col. 14, lines 27-30 and 52-55 wherein a view is created for all employees of the same department, the collaborating employees and everyone is allowed to see all records of the same department, is equivalent to a plurality of collaborating employees, wherein the collaborating employees include at least one of the selected employees.

Furthermore, at Fig. 2, col. 9, lines 18-22 and 41-47 Lei teaches users issuing queries to database and receiving query results, including context attribute values, from database at the same time.

“receiving an employee profile change request to revise the employee profile data corresponding to one of the employees, the received request being from one of the collaborating employees” (See col. 8, lines 1-5 where user can request attribute value and change the value if allowed to change the context attribute in question is equivalent to Applicant’s receiving an employee profile change request to revise the employee profile data corresponding to one of the employees, the received request being from one of the collaborating employees) ; and

“displaying the modified employee profile data to the plurality of collaborating employees” (See Lei: Figs. 1-2, col. 5, lines 27-39, col. 9, lines 18-22 and col. 14, lines 27-30 where user can access and modify records, via input devices, based on policy and retrieve records to display accordingly).

As per Claims 5, 12 and 18, Lei further teaches “storing second view data corresponding to the second view on a nonvolatile storage area, the second view data including a grant list of employees that were granted access to the second view and an exclusion list of employee profiles that were excluded from the second view” (See col. 1, lines 62-65 and col. 17, lines 55-65 wherein Lei’s grant access right to a view and storing context attribute values in devices other than memory is equivalent to Applicant’s storing second view data corresponding to the second view on a nonvolatile

storage area, the second view data including a grant list of employees that were granted access to the second view and an exclusion list of employee profiles that were excluded from the second view).

As per claims 6, 13 and 19, Lei further teaches the following:

“receiving a view request from a requesting employee” (See col. 2, lines 35-45 wherein Lei’s request for creating view V3 is equivalent to Applicant’s receiving a view request from a requesting employee);

“retrieving the second view data” (See col. 15, lines 25-31 wherein Lei’s creating view from another view is equivalent to Applicant’s retrieving the second view data);

“comparing the requesting employee with the grant list of employees” (See col. 1, lines 62-65 wherein Lei’s granting right to user for accessing a view differs the user without being such granted is equivalent to Applicant’s comparing the requesting employee with the grant list of employees); and

“determining whether to allow the requesting employee access to the second view in response to the comparison” (See col. 1, lines 62-65 wherein Lei’s granting right to user for accessing a view revokes user without being granted to access such a view is equivalent to Applicant’s determining whether to allow the requesting employee access to the second view in response to the comparison).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 4, 7, 11, 17 and 20 are rejected under U. S. C. 103(a) as being unpatentable over Lei et al. (U.S. Patent 6,487,552, hereafter "Lei") in view of Miller et al. (U.S. Patent 6,587,668, hereafter "Miller").

As per Claims 4, 11 and 17, Lei does not specifically teach "the first view corresponds to a manager and wherein each of the excluded employee profiles corresponds to an employee that reports to the manager", although Lei teaches creating view based on a particular subset of a table at col. 1, lines 62-65 and further, creating a view from another view at col. 15, lines 25-31.

However, Miller teaches associating manager information with users assigned to the manager in the user table at col. 5, lines 30-35.

It would have been obvious to one having ordinary skill in the art at the time of the Applicant's invention was made to combine Miller's teaching with Lei's reference by including manager id as a primary key in the user records because the combined



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teaching would have improved query execution due to primary key being available for data retrieval.

As per claims 7 and 20, Lei further teaches displaying a list of employees at col. 2, lines 35-40.

Lei does not specifically teach the employees being displayed are reporting to a manager.

However, Miller teaches associating manager information with users assigned to the manager in the user table at col. 5, lines 30-35.

It would have been obvious to one having ordinary skill in the art at the time of the Applicant's invention was made to combine Miller's teaching with Lei's reference by including manager id as a primary key in the user records because the combined teaching would have improved query execution due to primary key being available for data retrieval.

The combined teaching of Miller and Lei further teaches the following:

"displaying a list of reporting employees to a manager" (See Miller Fig. 5 and col. 5, lines 29-35 wherein Miller's displaying user records including manager id is equivalent to Applicant's displaying a list of reporting employees to a manager); and

"wherein the selecting includes receiving one or more exclusion selections from the manager in response to the displayed list" (See Lei: col. 3, lines 51-60 wherein Lei's differentiating user from being allowed or not allowed to view specific information is

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equivalent to Applicant's wherein the selecting includes receiving one or more exclusion selections from the manager in response to the displayed list).

**8. The prior art made of record**

F. U.S. Patent 6,487,552

G. U.S. Patent 6,587,668

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. Oracle Human Resources, North American User's Guide, Release 11, Volume 1, March 1998.

A. U.S. Patent 6,236,996

B. U.S. Pub. No. 2002/0184148

C. U.S. Pub. No. 2002/0182178

D. U.S. Pub. No. 2003/0216957A1

E. U.S. Pub. No. 2003/0154098

F. U.S. Patent 6,460,036

H. U.S. Pub. No. 2002/0120481

***Conclusion***

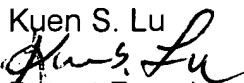
**Contact information**

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S Lu whose telephone number is (571) 272-4114. The examiner can normally be reached on Monday-Friday (8:00 am-5:00 pm).

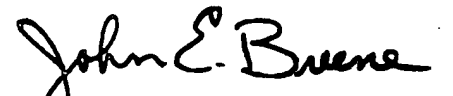
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If attempts to reach the examiner by telephone pre unsuccessful, the examiner's supervisor, John E. Breene can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free)..

Kuen S. Lu  
  
Patent Examiner

August 2, 2005

  
John E. Breene  
Supervisory Primary Examiner

August 2, 2005